

according to law ; and I elect to take, in lieu thereof, my dower, or legal share of the estate of my said husband, A. B.' But by renouncing all claim to a devise or bequest, or devises or bequests of personal property, made to her by the will of her husband, she shall be entitled to one-third part of the personal estate of her husband, which shall remain after payments of his just debts, and claims against him, and no more.

The time for her election is elongated to six months, by 1831, ch. 315.

SEC. 3. If the will of the husband devise a part of both real and personal estate, she shall renounce the whole, or be otherwise barred of her right to both real and personal estate.

SEC. 4. If the will devise only a part of the real estate, or only a part of the personal estate, the devise shall bar her of only the real, or personal estate, as the case may require ; provided nevertheless, that if the devise of either real or personal estate, or of both, shall be expressly in lieu of her legal share of one or both, she shall accordingly be barred unless she renounce as aforesaid.

SEC. 5. But if in effect, nothing shall pass by such devise, she shall not be thereby barred, whether she shall or shall not renounce as aforesaid, it being the intent of this act, and consonant to justice, that a widow accepting, or abiding by a devise, in lieu of her legal right, shall be considered as a purchaser with a fair consideration.

SEC. 6. If a widow commit waste in the lands of the deceased, she shall be liable to an action by the heir or devisee, or his or her guardian ; and if she marry a second husband, he shall be answerable for any waste committed by her before marriage, or by himself.

SEC. 7. A widow's remedy for dower shall be as heretofore.

CHAPTER XIV.

SEC. 1. If any person entitled to administration, shall deliver, or transmit to the orphans court, a declaration, in writing, that he is willing to decline the trust, the court shall proceed as if such person were not entitled.

Appendix,
containing
rules omit-
ted under
their proper
heads.

SEC. 2. If an executor or administrator shall die before administration is completed, letters *de bonis non* may be granted, at the discretion of the court, with a copy of the will annexed, (if the case require,) giving preference, however, to the person entitled, if he or she shall actually apply for the same ; and the form of the letters shall be as herein before directed, except that the words, 'already not administered,' be added in their proper place ; and the authority conferred by such letters shall be to administer all things herein described as assets, not converted into money, and not distributed or delivered, or retained